

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 662**

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**Introduced by Assembly Member Hueso**

February 17, 2011

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~~An act to amend Section 13383.5 of the Water Code, relating to stormwater.~~ *An act to amend Section 21670.3 of the Public Resources Code, relating to the San Diego County Regional Airport Authority.*

LEGISLATIVE COUNSEL'S DIGEST

AB 662, as amended, Hueso. ~~Stormwater.~~ *San Diego County Regional Airport Authority.*

*The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to provide for the orderly growth of airports and the area surrounding airports within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of an airport and the public in general. The act requires each county in which there is an airport served by a scheduled airline, with certain exceptions, to establish an airport land use commission. The act requires the commission to include, within its airport land use compatibility plan, the area within the jurisdiction of the commission surrounding any military airport for specified purposes.*

*Existing law exempts the County of San Diego from the requirement to establish a commission and, instead, makes the San Diego County Regional Airport Authority responsible for the preparation, adoption,*

*and amendment of an airport land use compatibility plan for each airport in San Diego County.*

*This bill would exempt from that military airport inclusion requirement the preparation, adoption, or amendment by the authority of an airport land use compatibility plan for the City of Coronado. The bill would authorize the authority to include within the plan for the city the area within the jurisdiction of the authority surrounding any military airport.*

*The bill would make legislative findings and declarations as to the necessity of a special statute for the City of Coronado.*

~~Existing law requires the State Water Resources Control Board to develop minimum monitoring requirements for each municipality that is required to obtain a stormwater permit, and minimum standard monitoring requirements for industries that are required to obtain a stormwater permit, as specified.~~

~~This bill would make several technical, nonsubstantive changes to those provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 21670.3 of the Public Utilities Code is*
- 2     *amended to read:*
- 3     21670.3. (a) Sections 21670 and 21670.1 do not apply to the
- 4     County of San Diego. In that county, the San Diego County
- 5     Regional Airport Authority, as established pursuant to Section
- 6     170002, shall be responsible for the preparation, adoption, and
- 7     amendment of an airport land use compatibility plan for each
- 8     airport in San Diego County.
- 9     (b) *Subdivision (b) of Section 21675 does not apply to the*
- 10    *preparation, adoption, or amendment of an airport land use*
- 11    *compatibility plan for the City of Coronado by the San Diego*
- 12    *County Regional Airport Authority. The San Diego County*
- 13    *Regional Airport Authority may include, within its airport land*
- 14    *use compatibility plan for the City of Coronado, the area within*
- 15    *the jurisdiction of the authority surrounding any military airport.*
- 16    *This subdivision does not give the San Diego County Regional*
- 17    *Airport Authority any jurisdiction or authority over the territory*
- 18    *or operations of any military airport.*

1     ~~(b)~~

2     (c) The San Diego County Regional Airport Authority shall  
3 engage in a public collaborative planning process when preparing  
4 and updating an airport land use compatibility plan.

5     *SEC. 2. The Legislature finds and declares that a special law*  
6 *is necessary and that a general law cannot be made applicable*  
7 *within the meaning of Section 16 of Article IV of the California*  
8 *Constitution because of the unique island location of the City of*  
9 *Coronado and its proximity to large military installations.*

10    ~~SECTION 1. Section 13383.5 of the Water Code is amended~~  
11 ~~to read:~~

12    ~~13383.5. (a) As used in this section, “regulated municipalities~~  
13 ~~and industries” means the municipalities and industries required~~  
14 ~~to obtain a stormwater permit under Section 402(p) of the Clean~~  
15 ~~Water Act (33 U.S.C. Sec. 1342(p)) and implementing regulations.~~

16    ~~(b) This section only applies to regulated municipalities that~~  
17 ~~were subject to a stormwater permit on or before December 31,~~  
18 ~~2001, and to regulated industries that are subject to the General~~  
19 ~~Permit for Stormwater Discharges Associated with Industrial~~  
20 ~~Activities Excluding Construction Activities.~~

21    ~~(c) Before January 1, 2003, the state board shall develop~~  
22 ~~minimum monitoring requirements for each regulated municipality~~  
23 ~~and minimum standard monitoring requirements for regulated~~  
24 ~~industries. This program shall include, but is not limited to, all of~~  
25 ~~the following:~~

26    ~~(1) Standardized methods for collection of stormwater samples.~~

27    ~~(2) Standardized methods for analysis of stormwater samples.~~

28    ~~(3) A requirement that every sample analysis under this program~~  
29 ~~be completed by a state-certified laboratory or by the regulated~~  
30 ~~municipality or industry in the field in accordance with the quality~~  
31 ~~assurance and quality control protocols established pursuant to~~  
32 ~~this section.~~

33    ~~(4) A standardized reporting format.~~

34    ~~(5) Standard sampling and analysis programs for quality~~  
35 ~~assurance and quality control.~~

36    ~~(6) Minimum detection limits.~~

37    ~~(7) Annual reporting requirements for regulated municipalities~~  
38 ~~and industries.~~

39    ~~(8) For the purposes of determining constituents to be sampled~~  
40 ~~for, sampling intervals, and sampling frequencies, to be included~~

1 in a municipal stormwater permit monitoring program, the regional  
2 board shall consider the following information, if the regional  
3 board determines it to be applicable:

4 (A) Discharge characterization monitoring data.

5 (B) Water quality data collected through the permit monitoring  
6 program.

7 (C) Applicable water quality data collected, analyzed, and  
8 reported by federal, state, and local agencies, and other public and  
9 private entities.

10 (D) Any applicable listing under Section 303(d) of the Clean  
11 Water Act (33 U.S.C. Sec. 1313).

12 (E) Applicable water quality objectives and criteria established  
13 in accordance with the regional board basin plans, statewide plans,  
14 and federal regulations.

15 (F) Reports and studies regarding source contribution of  
16 pollutants in runoff not based on direct water quality measurements.

17 (d) The requirements prescribed pursuant to this section shall  
18 be included in all stormwater permits for regulated municipalities  
19 and industries that are reissued following development of the  
20 requirements described in subdivision (c). Those permits shall  
21 include these provisions on or before July 1, 2008. In a year in  
22 which the Legislature appropriates sufficient funds for that purpose,  
23 the state board shall make available to the public via the Internet  
24 a summary of the results obtained from stormwater monitoring  
25 conducted in accordance with this section.